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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: FACEBOOK, INC. CONSUMER  
PRIVACY USER PROFILE LITIGATION

MDL No. 2843  
Case No. 18-md-02843-VC

This document relates to:

ALL ACTIONS

**NOTICE OF META'S FAILURE TO  
FUND ESCROW FUND AS REQUIRED  
BY THE SETTLEMENT AGREEMENT  
AND REQUEST FOR STATUS  
CONFERENCE**

Judge: Hon. Vince Chhabria  
Courtroom: 4, 17th Floor

Plaintiffs respectfully request a status conference with the Court to discuss Meta's failure to fund the escrow fund as required by the Settlement Agreement. The due date for Meta to fund the escrow account was 21 days from the Court's final approval order. ECF No. 1096-2, Settlement Agreement, ¶ 63. That date was October 31, 2023. As of today's date, Meta has not funded the account. Plaintiffs have asked if Meta has an inability to fund the account and have not received any substantive response or explanation. Assurances that Meta has funded the account have not borne out.

The Settlement Agreement and accompanying escrow instructions, heavily negotiated by the parties, provides that the funds shall be invested such that interest will accrue to the benefit of the class. ECF No. 1096-2, Settlement Agreement, ¶ 25. Meta's failure to fund impedes interest accruing on behalf of the Class. The total lost interest for the Class for the three-day period is \$319,600.65.

Consistent with this Court's retention of jurisdiction to enforce the terms of the agreement, ECF No. 1182 at ¶ 27, Plaintiffs respectfully request a status conference with the Court.

Dated: November 2, 2023

Respectfully submitted,

KELLER ROHRBACK L.L.P.

BLEICHMAR FONTI & AULD LLP

By: /s/ Derek W. Loeser  
Derek W. Loeser

By: /s/ Lesley E. Weaver  
Lesley E. Weaver

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*Plaintiffs' Co-Lead Counsel*

**ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**

I, Lesley E. Weaver, attest that concurrence in the filing of this document has been obtained from the other signatory. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of November, 2023, at Oakland, California.

/s/ Lesley E. Weaver

Lesley E. Weaver